

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

JAN KOPACZ and CATHY KOPACZ,

Plaintiffs,

v.

DELAWARE RIVER AND BAY
AUTHORITY, and CRAIG SWETT,

Defendants.

JAN KOPACZ,

Plaintiff,

v.

DELAWARE RIVER AND BAY
AUTHORITY,

Defendant.

C.A. No. 04-911 GMS

Jury Trial Demanded

C.A. No. 04-1281 GMS

DRBA'S OBJECTIONS TO PLAINTIFF'S DEPOSITION DESIGNATIONS

Defendant Delaware River & Bay Authority (DRBA) objects to the reading of the depositions of either Bonnie Miller or Craig Swett unless the witnesses are unavailable at trial. Both Miller and Swett will testify live at trial, and therefore the reading of their depositions is inappropriate.

In the event that the Court overrules the DRBA's general objection, the DRBA objects in particular to reading the following portions of the depositions of Bonnie Miller and Craig Swett:

MILLER

Pp.. 25-26 Objection. References to insurance coverage for claims made in this suit. DRBA has no objection to references to medical or disability insurance which is provided as a benefit to employees, but objects to any mention of P&I insurance which covers claims such as those made by plaintiff.

Pg. 29 Objection. Witness is being asked for a legal conclusion.

Pp. 53-55 Objection. Calls for speculation as to what another individual, Ed Ledwon, was thinking.

Pp. 77-80 Objection. References to insurance agent, and insurance.

SWETT

All The testimony designated by plaintiff is not an admission against Swett's interest, but rather seems to be designed to establish liability against the DRBA, and therefore it is inadmissible hearsay unless Swett is unavailable at trial, in which case the entire deposition must be admitted, subject to the objections made therein.

Pp. 83-84 Objection. Improper cross-examination asking the witness to verify the accuracy of a lengthy transcribed statement. DRBA objected to the line of questioning at page 81 and 82, and to the extent it is allowed, the witness' caveat on page 81 and 82 must be read as well.

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CERTIFICATE OF SERVICE

I hereby certify that on January 24, 2006 I electronically filed with the Clerk of Court using ECF DRBA's Objections to Plaintiff's Deposition Designations which will send notification of such filing to the following:

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